IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 17TH OCTOBER 2006 / 25TH ASWINA 1928

Bail Appl..No. 6180 of 2006()

CRMP.4079/2006 of ADDL. SESSIONS COURT, THODUPUZHA
CRIME NO.101/2006 OF VANDANMETTU POLICE STATION.

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PETITIONER

BABU, S/O.BHASKARAN, AGED 34 YEARS,
CHAVASERIL HOUSE, CHETTUKUZHI KARA,
KARUNAPURAM VILLAGE.

BY ADV. SRI.C.ANILKUMAR (KALLESSERIL)

RESPONDENTS:

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1. THE SUB INSPECTOR OF POLICE,
VANDANMEDU.

2. THE STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M. JAMES, J.

Bail Application No. 6180 of 2006

Dated this the 17th October, 2006.

O R D E R

Petitioner is praying for a pre arrest order, because of his apprehension of arrest, in Crime No.101/2006 of Vandanmettu Police Station, for the offence punishable under Section 8(1) & (2) of the Abkari Act. The petitioner was found in illegal possession of 150 ml. of arrack.

2. Heard both sides. The prosecution alleges that the possession of 150 ml. of arrack was noticed by the prohibitionists, who were agitating against the sale of arrack in the area. They called the police, but, by the time the police arrived, the petitioner escaped. So, he could not arrested.

3. I heard the arguments advanced by both sides. Counsel appearing for the petitioner, however, submits that the seizure was from a place, about 20 metres away from the residential house of the petitioner.

4. After hearing both sides, I dispose of the application, directing the petitioner to surrender before the Investigating Officer of Vandanmettu Police Station, who is investigating the Crime No.101/2006 of that police station, on 25.10.2006, between 9.30 and 10 a.m.

5. The investigating officer shall interrogate the petitioner, and thereafter produce him before the court below, as per the law.

6. The learned Magistrate shall allow the petitioner to be on bail, imposing such conditions, as are deemed necessary.

J.M. JAMES,
JUDGE

nj.